REMARKS

In accordance with the Office Action communication of April 10, 2006, the claim status is:

Claims 1-20: Canceled

Claims 21-48: Withdrawn

Claims 49-65: New

April 10, 2006 Office Action

In this Action, the Examiner has required that original claims 1-20 may be reinstated by adding them as new claims. Applicant has added new claims 49-65, which are amended versions of claims 1-20.

As a visual aid, Applicant directs the Examiner's attention to the following marked up version of claim 49, as it would appear in an amendment to claim 1. Applicant has amended original claim, substantially with the addition of new language. Deletions have been maintained to a minimum. Accordingly, it is Applicant's belief that the invention presented by Claim 49 is the originally elected invention.

> A method for receiving e-mails, each of said e-mails including a header and a message body, the method comprising:~~the steps of:~~
>
> separating and identifying an instance of each of a plurality of properties of an e-mail, wherein said plurality of properties are contained in at least one of said header ~~from~~ or said message body;
>
> determining whether an instance of at least a first property in the plurality of properties is stored in a corresponding data structure;
>
> for when the instance of the first property is determined as not being stored in the corresponding data structure, storing said identified instance ~~message body~~ in a ~~message body~~ corresponding data structure, and linking the identified instance with an identifier of the e-mail;

for when the instance of the first property is determined as being stored in the corresponding data structure, linking the stored and identified instance with the identifier of the e-mail;

wherein determining whether the instance of the first property includes separating information contained in at least one of said header or message body of the e-mail; ~~into a plurality of header information fields;~~

~~storing said header information fields;~~

wherein each of linking the identified instance and linking the stored and identified instance includes using the instance of the first property in at least one of ~~said plurality of~~ the header ~~information fields with at least a second of said plurality of header information fields~~ or the message body; ~~field;~~ and

~~creating~~ using ~~plurality~~ one or more ~~of~~ relationship fields ~~for storing~~ to store information ~~sufficient~~ to identify said link between ~~said at least one~~ the instance of the first property and the identifier of the e-mail. ~~header information field and said at least second header information field or message body field~~

In the Office Action of September 26, 2005, the Examiner states "identifying an instance of a property contained in a message, for each identified instance: determining whether the identified instance of the property in the message is new or already exists in a data structure etc. was not originally elected for examination."

This statement is not accurate if applied to the new claims. Original claim 1 states as a limitation "separating information contained in said header into a plurality of header information fields". This is a way of identifying and storing instances of properties, as the information contained in the header fields are properties. Additionally, the determination as to whether an instance of a property is provided should be considered as an additional limitation. As the visual aid indicates, the new claims include limitations that are primarily additive to original claim 1.

February 3, 2005 Office Action

Terminal Disclaimer:

A double-patenting rejection was issued to U.S. Patent No. 6,615,241. Applicant

requests reconsideration, given the modified language of Claim 49. Claim 49 states as one of the added limitations:

"determining whether an instance of at least a first property in the plurality of properties is stored in a corresponding data structure"

Applicant believes that with the addition of this language, the claims presented are patentably distinct from the '241 Patent.

Nakanura

The Office Action of February 2005 rejected the claimed invention under 35 U.S.C. Section 102(b) as being anticipated by Nakanura (USP 5,548,789). The teaching of Nakanura separates properties from messages when messages exceed a certain size. Nakanura teaches no other mechanism by which separation of properties from e-mails occurs. In contrast, Claim 49 recites: *"determining whether an instance of at least a first property in the plurality of properties is stored in a corresponding data structure"*

As such, Claim 49 is not taught or suggested by Nakanura.

For all these reasons, Applicant submits that the restriction requirement and subsequent election should be withdrawn, in particular as it applies to independent claims 21 and 45.

CONCLUSION

The proximity of the correspondence makes the examiners restriction unwarranted and reconsideration of the claims is respectfully requested. If there are any questions or comments that the Examiner wishes to direct to Applicant's attorney, the Examiner is invited to call Applicant's attorney at (408)-551-6632. The Patent Office is hereby authorized to change all unpaid fees to deposit account 501914.

Respectfully submitted,

Shemwell Mahamedi LLP

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